



General Assembly

February Session, 2010

**Raised Bill No. 5147**

LCO No. 860

\*00860\_\_\_\_\_INS\*

Referred to Committee on Insurance and Real Estate

Introduced by:  
(INS)

**AN ACT CONCERNING SURETY BAIL BOND AGENTS AND PROFESSIONAL BONDSMEN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-660 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) As used in this section and sections 3 to 14, inclusive, of this act:

4 (1) "Commissioner" means the Insurance Commissioner;

5 (2) "Disqualifying offense" means: (A) A felony; (B) a misdemeanor  
6 if an element of the offense involves dishonesty or misappropriation of  
7 money or property; or (C) a misdemeanor under section 21a-279, 53a-  
8 58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176,  
9 53a-178 or 53a-181d;

10 [(2)] (3) "Insurer" means any domestic, foreign or alien insurance  
11 company [which] that has qualified generally to transact surety  
12 business in this state under the requirements of chapter 698 and  
13 specifically to transact bail bond business in this state;

14 [(3) "Surety bail bond agent" means any person who has been  
15 approved by the commissioner and appointed by an insurer by power  
16 of attorney to execute or countersign bail bonds for the insurer in  
17 connection with judicial proceedings;]

18 (4) "License" means a surety bail bond agent license issued by the  
19 commissioner to a qualified individual as provided in this section;

20 (5) "Managing general agent" means any person appointed or  
21 employed by an insurer to supervise or otherwise manage the bail  
22 bond business written in this state by surety bail bond agents  
23 appointed by such insurer;

24 [(5)] (6) "Solicit" includes any written or printed presentation or  
25 advertising made by mail or other publication, or any oral presentation  
26 or advertising in person or by means of telephone, radio or television  
27 which implies that an individual is licensed under this section, and any  
28 activity in arranging for bail which results in compensation to the  
29 individual conducting that activity;

30 [(6) "Disqualifying offense" means: (A) A felony; or (B) a  
31 misdemeanor if an element of the offense involves dishonesty or  
32 misappropriation of money or property.]

33 (7) "Surety bail bond agent" means any person who has been  
34 approved by the commissioner and appointed by an insurer by power  
35 of attorney to execute or countersign bail bonds for the insurer in  
36 connection with judicial proceedings.

37 (8) "Build-up funds" means a percentage of the premium received  
38 by a surety bail bond agent for the placement of a bail bond, which are  
39 held in a trust account by the insurer or the managing general agent,  
40 for the purpose of compensating the insurer or the managing general  
41 agent for any losses such insurer or managing general agent incurs in  
42 the apprehension of a defendant or to pay forfeitures on bail bonds  
43 written by the surety bail bond agent.

44       (9) "Estreatment" or "estreature" means the enforcement of a  
45 forfeiture of a bail bond due to a failure of the principal to comply with  
46 the conditions of a bail bond or the court order forfeiting such bail  
47 bond.

48       (b) An insurer shall not execute an undertaking of bail in this state  
49 except by and through a person holding a license issued as provided in  
50 this section.

51       (c) A person shall not in this state solicit or negotiate in respect to  
52 execution or delivery of an undertaking of bail or bail bond on behalf  
53 of an insurer, or execute or deliver such an undertaking of bail or bail  
54 bond on behalf of an insurer unless licensed as provided in this  
55 section. No person engaged in law enforcement or vested with police  
56 powers shall be licensed as a surety bail bond agent. Any person who  
57 violates the provisions of this subsection shall be guilty of a class D  
58 felony.

59       (d) Only natural persons who are licensed under this section may  
60 execute bail bonds. A firm, partnership, association or corporation,  
61 desiring to execute an undertaking of bail in this state [must] shall do  
62 so by and through a person holding a license issued as provided in this  
63 section.

64       (e) Any person desiring to act within this state as a surety bail bond  
65 agent shall make a written application to the commissioner for a  
66 license in such form and having such supporting documents as the  
67 commissioner prescribes. Each application shall be signed by the  
68 applicant and shall be accompanied by a nonrefundable filing fee as  
69 [determined by the commissioner] specified in section 38a-11, as  
70 amended by this act. The applicant [must] shall also submit with the  
71 application a complete set of the applicant's fingerprints, certified by  
72 an authorized law enforcement officer, and two recent credential-sized  
73 full-face photographs of the applicant. At the time of application, each  
74 applicant for a license shall forward a copy of the applicant's complete  
75 application and supporting documents to the bond forfeiture unit of

76 the Office of the Chief State's Attorney.

77 (f) ~~(1)~~ Every applicant for a license [must] shall file with the  
78 commissioner a notice of appointment executed by an insurer or its  
79 authorized representative authorizing such applicant to execute  
80 undertakings of bail and to solicit and negotiate such undertakings on  
81 its behalf.

82 (2) By appointing a surety bail bond agent, an insurer certifies to the  
83 commissioner that, to the best of the insurer's knowledge and belief,  
84 such person is competent, financially responsible and suitable to serve  
85 as a representative of the insurer. Until an insurer has appointed a  
86 person as its surety bail bond agent in accordance with this section,  
87 such person shall not represent to the public that such person has the  
88 authority to represent such insurer as its surety bail bond agent. An  
89 insurer shall be bound by the acts of such person within the scope of  
90 such person's actual or apparent authority as such insurer's agent.

91 (3) (A) Each appointment shall, by its terms, continue in force until:  
92 ~~[(1)]~~ (i) Termination of the surety bail bond agent's license; or ~~[(2)]~~ (ii)  
93 the filing of a notice of termination with the commissioner by the  
94 insurer or its representative or by such surety bail bond agent.

95 (B) Upon the termination of a surety bail bond agent's appointment,  
96 such agent shall not engage or attempt to engage in any activity  
97 requiring such an appointment. An insurer that terminates the  
98 appointment of a surety bail bond agent may authorize such agent to  
99 continue to attempt to take custody of a defendant for whom a bail  
100 bond had been written prior to the termination of such agent's  
101 appointment and to seek discharge of forfeitures and judgments.

102 (C) Not later than five days after receiving notice or learning that a  
103 surety bail bond agent has been arrested for, pleaded guilty or nolo  
104 contendere to, or been found guilty of, a disqualifying offense in this  
105 state or an offense in any other state, the essential elements of which  
106 are substantially the same as a disqualifying offense, whether

107 judgment was entered or withheld by a court, an insurer, managing  
108 general agent or surety bail bond agent shall notify the commissioner  
109 in writing.

110 (g) An applicant for a license shall be required to appear in person  
111 and take a written examination testing the applicant's competency and  
112 qualifications to act as a surety bail bond agent. The commissioner  
113 may designate an independent testing service to prepare and  
114 administer such examination, provided any examination fees charged  
115 by such service shall be paid by the applicant. The commissioner shall  
116 collect the appropriate examination fee, which shall entitle the  
117 applicant to take the examination for the license, except when a testing  
118 service is used, the testing service shall pay such fee to the  
119 commissioner. In either case, such examination shall be as the  
120 commissioner prescribes and shall be of sufficient scope to test the  
121 applicant's knowledge of subjects pertinent to the duties and  
122 responsibilities of a surety bail bond agent, including all laws and  
123 regulations of this state applicable thereto.

124 (h) In addition to all other requirements prescribed in this section,  
125 each applicant for a license shall furnish satisfactory evidence to the  
126 commissioner that: (1) The applicant is at least eighteen years of age;  
127 (2) the applicant is a citizen of the United States; and (3) the applicant  
128 has never been convicted of a [felony or any misdemeanor under  
129 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173,  
130 53a-175, 53a-176, 53a-178 or 53a-181d] disqualifying offense. The  
131 commissioner shall require each applicant to submit to a background  
132 investigation, including an investigation of any prior criminal activity,  
133 to be conducted by the Division of Criminal Justice. The Division of  
134 Criminal Justice shall require each applicant to submit to state and  
135 national criminal history records checks. Such criminal history records  
136 checks shall be conducted in accordance with section 29-17a.

137 (i) Upon [satisfying himself] the satisfaction of the commissioner  
138 that an applicant meets the licensing requirements of this state and is

139 in all respects properly qualified and trustworthy and that the granting  
140 of such license is not against the public interest, the commissioner may  
141 issue to such applicant, upon payment of the license fee, as specified in  
142 section 38a-11, as amended by this act, the license applied for, in such  
143 form as he may adopt, to act within this state to the extent therein  
144 specified. Such license shall expire on January thirty-first of each even-  
145 numbered year.

146 (j) The commissioner may adopt regulations, in accordance with the  
147 provisions of chapter 54, relating to the approval of schools offering  
148 courses in the duties and responsibilities of surety bail bond agents,  
149 the content of such courses and the advertising to the public of the  
150 services of these schools.

151 (k) (1) To further the enforcement of this section and sections 3 to 14,  
152 inclusive, of this act, and to determine the eligibility of any licensee,  
153 the commissioner may, as often as [he] the commissioner deems  
154 necessary, examine the books and records of any such licensee. To  
155 cover the cost of examinations under this subsection, each person  
156 licensed as a surety bail bond agent in this state shall on or before  
157 January thirty-first, annually, pay to the commissioner a fee of four  
158 hundred fifty dollars.

159 (2) The fees received by the commissioner pursuant to subdivision  
160 (1) of this subsection shall be dedicated to conducting the examinations  
161 under said subdivision (1) and shall be deposited in the account  
162 established under subdivision (3) of this subsection.

163 (3) There is established an account to be known as the "surety bail  
164 bond agent examination account", which shall be a separate,  
165 nonlapsing account within the Insurance Fund established under  
166 section 38a-52a. The account shall contain any moneys required by law  
167 to be deposited in the account and any such moneys shall not be  
168 transferred to the General Fund.

169 (l) [A license may, in the discretion of the] The commissioner [, be

170 renewed or continued] may renew or continue a license upon payment  
171 of the appropriate fee, as [the commissioner deems necessary]  
172 specified in section 38a-11, as amended by this act, without the  
173 resubmittal of the detailed information required in the original  
174 application.

175 [(m) The commissioner shall adopt regulations, in accordance with  
176 the provisions of chapter 54 to implement subsections (a) to (l),  
177 inclusive, of this section.

178 (n) Any individual aggrieved by the action of the commissioner in  
179 revoking, suspending or refusing to reissue a license or in imposing a  
180 fine or penalty may appeal therefrom, in accordance with the  
181 provisions of section 4-183, except venue for such appeal shall be in the  
182 judicial district of Hartford. Appeals under this section shall be  
183 privileged in respect to the order of trial assignment.]

184 (m) Each surety bail bond agent shall provide written notice:

185 (1) To the commissioner, the appointing insurer and the managing  
186 general agent not later than thirty days after a change in such surety  
187 bail bond agent's business name, principal business address or  
188 telephone number;

189 (2) To the commissioner not later than thirty days after a change in  
190 such surety bail bond agent's name or residence address; and

191 (3) To the commissioner not later than thirty days after any  
192 bankruptcy proceeding concerning such surety bail bond agent or any  
193 administrative action taken against such agent in another state or the  
194 entering of an administrative order in that state. The written notice  
195 required under this subdivision shall be accompanied by all  
196 supporting documentation.

197 [(o)] (n) Nothing in this section shall be construed as limiting an  
198 individual's ability to operate as a professional bondsman in this state  
199 pursuant to chapter 533 provided such individual is in compliance

200 with all requirements of said chapter.

201 Sec. 2. Section 38a-660a of the general statutes is repealed and the  
202 following is substituted in lieu thereof (*Effective October 1, 2010*):

203 The Insurance Commissioner shall furnish to all courts and to all  
204 organized police departments in the state, the names, principal  
205 business addresses and telephone numbers of all persons licensed as  
206 surety bail bond agents under this chapter and shall forthwith notify  
207 such courts and all such police departments of any change in any such  
208 agent's business name, principal business address, telephone number  
209 or status or of the suspension or revocation of the license of any such  
210 agent to engage in such business.

211 Sec. 3. (NEW) (*Effective October 1, 2010*) (a) No surety bail bond  
212 agent shall execute a bail bond without charging the premium rate  
213 filed with and approved by the commissioner pursuant to chapter 701  
214 of the general statutes.

215 (b) Not later than the tenth day of each month, each surety bail bond  
216 agent shall certify to the commissioner under oath, on a form  
217 prescribed by the commissioner, that the premium for each surety bail  
218 bond executed by such agent in the preceding month was not less  
219 than, and did not exceed, the premium rate as filed by the insurer with  
220 and approved by the commissioner. The filing of a false certification by  
221 a surety bail bond agent shall be grounds for administrative action in  
222 accordance with section 38a-774 of the general statutes.

223 (c) Each insurer shall semiannually conduct an audit, for the period  
224 from January first to June thirtieth and from July first to December  
225 thirty-first, of each of its appointed surety bail bond agents to ensure  
226 such agents are charging the premium rate as required by subsection  
227 (a) of this section. Not later than forty-five days after the closing period  
228 of each audit, each insurer shall notify the commissioner of the failure  
229 of any surety bail bond agent to charge the filed and approved  
230 premium rate. Such notice shall include the name of the surety bail

231 bond agent, the case docket number if assigned, the total amount of the  
232 surety bond, the date the surety bond was posted, the five-digit  
233 identification code assigned to the insurer by the National Association  
234 of Insurance Commissioners and the date the premium was due.

235 (d) Not later than January thirty-first, annually, each insurer shall  
236 file with the commissioner a statement certifying the total amount of  
237 bail bonds executed and the total amount of premiums collected on  
238 such bail bonds in the calendar year preceding by such insurer.

239 (e) Nothing in this section shall be construed to prohibit or limit a  
240 premium financing arrangement that is in accordance with section 4 of  
241 this act.

242 Sec. 4. (NEW) (*Effective October 1, 2010*) If a surety bail bond agent  
243 extends credit for a premium financing arrangement, such agent shall  
244 require (1) the principal on the bond or any indemnitor to pay a  
245 minimum down payment of thirty-five per cent of the premium due, at  
246 the premium rate filed with and approved by the commissioner  
247 pursuant to chapter 701 of the general statutes, and (2) the principal  
248 and any indemnitor to execute a promissory note for the balance of the  
249 premium due. Such promissory note shall provide that such balance  
250 shall be paid not later than fifteen months after the date of the  
251 execution of the bond. If such balance has not been paid in full to the  
252 surety bail bond agent by the due date or a payment due under such  
253 arrangement is more than sixty days in arrears, such agent shall file a  
254 verified complaint seeking appropriate relief with the court not later  
255 than seventy-five days after such due date. The surety bail bond agent  
256 shall make a diligent effort to obtain judgment not later than one  
257 hundred twenty days after filing such complaint on such promissory  
258 note unless good cause is shown for failure to obtain judgment,  
259 including, but not limited to, the filing for bankruptcy by the principal  
260 or the indemnitor or failure to serve process despite good faith efforts.

261 Sec. 5. (NEW) (*Effective October 1, 2010*) (a) All premiums, return  
262 premiums or other funds belonging to insurers or others that are

263 received by a surety bail bond agent under such agent's license shall be  
264 deemed trust funds received by such agent in a fiduciary capacity.  
265 Such agent shall account for and pay the same to the insurer or persons  
266 entitled to such funds.

267 (b) A surety bail bond agent shall keep and make available to the  
268 commissioner or the commissioner's designee any books, accounts and  
269 records as necessary to enable the commissioner to determine whether  
270 such agent is complying with applicable law. A surety bail bond agent  
271 shall preserve the books, accounts and records pertaining to a  
272 premium payment for at least three years after making such payment.  
273 Records that are preserved by computer or photographic reproduction  
274 or records that are in photographic form shall be deemed to be in  
275 compliance with this subsection.

276 (c) Any surety bail bond agent who diverts or appropriates any of  
277 the funds received under subsection (a) of this section for such agent's  
278 own use shall be subject to the penalties for larceny under sections 53a-  
279 122 to 53a-125b, inclusive, of the general statutes, depending on the  
280 amount involved.

281 Sec. 6. (NEW) (*Effective October 1, 2010*) Each surety bail bond agent  
282 shall maintain all records of surety bail bonds executed or  
283 countersigned by such agent for at least three years after the liability of  
284 the insurer has been terminated. Such records shall be open at all times  
285 to examination, inspection and photographic reproduction by any  
286 employee or agent of the Insurance Department, an authorized  
287 representative of the insurer or a managing general agent. The  
288 commissioner may require a surety bail bond agent, at any time, to  
289 furnish to the Insurance Department, in such manner or form as the  
290 commissioner may require, any information concerning the surety bail  
291 bond business of such agent.

292 Sec. 7. (NEW) (*Effective October 1, 2010*) (a) All build-up funds  
293 posted by a surety bail bond agent or a managing general agent, either  
294 with an insurer or a managing general agent representing an insurer,

295 shall be maintained in an individual build-up trust account for the  
296 surety bail bond agent by the insurer or the managing general agent.  
297 The insurer or managing general agent shall establish the account in a  
298 federally insured bank or savings and loan association in this state  
299 jointly in the name of the surety bail bond agent and the insurer or  
300 managing general agent, or in trust for the surety bail bond agent by  
301 the insurer or managing general agent. The account shall be open to  
302 inspection and examination by the Insurance Department at all times.  
303 The insurer or managing general agent shall maintain an accounting of  
304 all build-up funds and such accounting shall designate the amounts  
305 collected on each bond executed.

306 (b) Build-up funds shall not exceed forty per cent of the premium as  
307 established by the surety bail bond agent's contract agreement with the  
308 insurer or managing general agent. Build-up funds received shall be  
309 immediately deposited in the build-up trust account. Interest earned  
310 on build-up trust accounts shall accrue to the surety bail bond agent.

311 (c) Build-up funds shall be due upon termination of the surety bail  
312 bond agent's contract and discharge of liabilities on the bonds for  
313 which the build-up funds were posted. The insurer or managing  
314 general agent shall pay the funds to the surety bail bond agent not  
315 later than six months after the funds are due.

316 Sec. 8. (NEW) (*Effective October 1, 2010*) (a) A surety bail bond agent  
317 who receives collateral security or other indemnity shall comply with  
318 all of the following requirements:

319 (1) The collateral security or other indemnity shall be reasonable in  
320 relation to the amount of the bond;

321 (2) The collateral security or other indemnity shall not be used by  
322 the surety bail bond agent for personal benefit or gain and shall be  
323 returned in the same condition as received;

324 (3) Acceptable forms of collateral security or other indemnity

325 include, but are not limited to, cash or its equivalent, a promissory  
326 note, an indemnity agreement, a real property mortgage in the name of  
327 the insurer or any Uniform Commercial Code filing. If the surety bail  
328 bond agent receives collateral security or other indemnity on a bond in  
329 excess of fifty thousand dollars in cash, the cash amount shall be made  
330 payable to the insurer in the form of a cashier's check, United States  
331 postal money order, certificate of deposit or wire transfer;

332 (4) The surety bail bond agent shall provide to the person providing  
333 the collateral security or other indemnity a written, numbered receipt  
334 that describes in a detailed manner the collateral security or other  
335 indemnity provided, along with copies of any documents rendered;  
336 and

337 (5) The collateral security or other indemnity shall be received and  
338 held in the insurer's name by the surety bail bond agent in a fiduciary  
339 capacity and, prior to any forfeiture of a bond, shall be kept separate  
340 and apart from any other funds or assets of the surety bail bond agent.  
341 When collateral security in excess of fifty thousand dollars in cash or  
342 its equivalent is received on a bond, the surety bail bond agent shall  
343 promptly forward the entire amount to the insurer or managing  
344 general agent.

345 (b) Collateral security or other indemnity may be deposited in an  
346 interest-bearing account in a federally insured bank or savings and  
347 loan association in this state, to accrue to the benefit of the person  
348 providing the collateral security or other indemnity. The surety bail  
349 bond agent, insurer or managing general agent shall not receive any  
350 pecuniary gain on the collateral security or other indemnity deposited.

351 (c) (1) The insurer shall be liable for all collateral security or other  
352 indemnity received by a surety bail bond agent. If, upon final  
353 termination of liability on a bond, the surety bail bond agent or  
354 managing general agent fails to return the collateral security or other  
355 indemnity to the person who provided it, the insurer shall return the  
356 actual collateral or other indemnity to such person or, in the event that

357 the insurer cannot locate the collateral security or other indemnity,  
358 shall pay the person in accordance with this section.

359 (2) An insurer's liability as described in subdivision (1) of this  
360 subsection shall survive the termination of the surety bail bond agent's  
361 appointment, with respect to those bonds that were executed by the  
362 surety bail bond agent prior to the termination of the appointment.

363 (d) (1) If a forfeiture of the bond occurs, the surety bail bond agent  
364 or insurer shall give the principal on the bond and the person who  
365 provided the collateral security or other indemnity thirty days written  
366 notice of intent to convert the collateral security or other indemnity  
367 into cash to satisfy the forfeiture. The notice shall be sent by certified  
368 mail, return receipt requested, to the last-known address of the  
369 principal and the person who provided the collateral security or other  
370 indemnity.

371 (2) If a stay of execution upon such forfeiture is ordered pursuant to  
372 section 54-65a of the general statutes, the surety bail bond agent or  
373 insurer shall send such written notice by certified mail, return receipt  
374 requested, to the last-known address of the principal and the person  
375 who provided the collateral security or other indemnity, at least thirty  
376 days prior to the expiration of such stay.

377 (3) The surety bail bond agent or insurer shall convert the collateral  
378 security or other indemnity into cash within a reasonable period of  
379 time and return any amount in excess of the face value of the bond  
380 minus the actual and reasonable expenses of converting the collateral  
381 security or other indemnity into cash. Such expenses shall not exceed  
382 ten per cent of the face value of the bond. If a surety bail bond agent  
383 expends more than ten per cent of the face value of the bond to convert  
384 the collateral security or other indemnity into cash, such agent may file  
385 an application with the court, which may allow recovery of the full  
386 amount of the actual and reasonable expenses upon motion and proof  
387 that the actual and reasonable expenses exceed ten per cent of the face  
388 value of the bond. If there is a remission of forfeiture that required the

389 insurer to pay the bond, the insurer shall pay to the person who  
390 provided the collateral security or other indemnity the value of any  
391 collateral security or other indemnity received for the bond minus the  
392 actual and reasonable expenses permitted to be recovered under this  
393 subsection.

394 (e) A surety bail bond agent or insurer shall not solicit or accept a  
395 waiver of any of the provisions of this section or enter into any  
396 agreement as to the value of the collateral security or other indemnity.

397 (f) Prior to the appointment of a surety bail bond agent who is  
398 currently or was previously appointed by another insurer, the surety  
399 bail bond agent shall file with the commissioner a sworn and notarized  
400 affidavit, on a form prescribed by the commissioner, stating that: (A)  
401 There has been no loss, misappropriation, conversion or theft of any  
402 collateral security or other indemnity being held by the agent in trust  
403 for any insurer by which the agent is currently or was previously  
404 appointed; and (B) all collateral security or other indemnity being held  
405 in trust by the agent and all records for any insurer by which the agent  
406 is currently or was previously appointed are available for immediate  
407 audit and inspection by the commissioner, the insurer, or the  
408 managing general agent and will, upon demand of the commissioner  
409 or insurer, be transmitted to the insurer for whom the collateral  
410 security or other indemnity is being held in trust.

411 Sec. 9. (NEW) (*Effective October 1, 2010*) (a) If collateral security or  
412 other indemnity was received by a surety bail bond agent on a bond,  
413 the insurer, managing general agent or surety bail bond agent shall  
414 return the collateral security or other indemnity, except a promissory  
415 note or an indemnity agreement, not later than twenty-one days after  
416 receipt of a written report from the court that a bond has been  
417 terminated. Such collateral security or other indemnity shall be  
418 returned to the person who provided the collateral security or other  
419 indemnity unless another disposition is provided for by legal  
420 assignment of the right to receive the collateral security or other

421 indemnity to another person. If, despite diligent inquiry by the insurer  
422 or the insurer's agent to determine whether the bond has been  
423 terminated, the court fails to provide any written report on  
424 termination, the collateral security or other indemnity, except a  
425 promissory note or an indemnity agreement, shall be returned to the  
426 person who gave the collateral security or other indemnity not later  
427 than twenty-one days after the insurer, managing general agent or  
428 surety bail bond agent has become aware that the bond has been  
429 terminated.

430 (b) No fee or other charge, other than that authorized by law, shall  
431 be deducted from the collateral security or other indemnity due.  
432 Allowable expenses incurred in the apprehension of a defendant  
433 because of a forfeiture of bond or judgment may be deducted if such  
434 expenses are accounted for.

435 (c) Any person who violates this section shall be subject to the  
436 penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of  
437 the general statutes, depending on the amount involved.

438 Sec. 10. (NEW) (*Effective October 1, 2010*) (a) No insurer, managing  
439 general agent or surety bail bond agent shall furnish to any person any  
440 blank form, application, stationery, business card or other supplies to  
441 be used in the solicitation, negotiation or execution of bail bonds  
442 unless such person is licensed to act as a surety bail bond agent and is  
443 appointed by an insurer as required in section 38a-660 of the general  
444 statutes, as amended by this act. This section shall not prohibit an  
445 unlicensed employee who is under the direct supervision and control  
446 of a licensed and appointed surety bail bond agent from possessing or  
447 executing in the surety bail bond agent's or insurer's office any form,  
448 other than a power of attorney, bond form or collateral security or  
449 other indemnity receipt, while acting within the scope of such  
450 employee's employment.

451 (b) Any insurer that furnishes any of the supplies set forth in  
452 subsection (a) of this section to any surety bail bond agent or other

453 person not appointed by such insurer, and that accepts any bail bond  
454 business from or executes any bail bond business for such surety bail  
455 bond agent or other person, shall be liable on the bond to the same  
456 extent and in the same manner as if the surety bail bond agent or other  
457 person had been appointed or authorized by such insurer to act on its  
458 behalf.

459       Sec. 11. (NEW) (*Effective October 1, 2010*) No surety bail bond agent  
460 or insurer shall:

461       (1) In exchange for a fee or other consideration, suggest or advise  
462 the employment of or name for employment any particular attorney to  
463 represent the principal on a bond;

464       (2) Directly or indirectly solicit business in or on the property or  
465 grounds of a correctional institution, community correctional center or  
466 other detention facility where arrested persons are confined, or within  
467 any police station or courthouse. For purposes of this subdivision,  
468 "solicit" includes the distribution of business cards, print advertising or  
469 any other written information directed to arrested persons or potential  
470 indemnitors, unless a request is initiated by an arrested person or  
471 potential indemnitor. Permissible print advertising in or on the  
472 property or grounds of a correctional institution, community  
473 correctional center or other detention facility where arrested persons  
474 are confined, or in or on the property or grounds of any courthouse  
475 shall be limited to a listing in a telephone directory and the posting of  
476 the surety bail bond agent's name, address and telephone number in a  
477 prominent designated location in or on such property or grounds;

478       (3) Wear or otherwise display any identification, other than a license  
479 or identification issued or approved by the Insurance Commissioner,  
480 in or on the property or grounds of a correctional institution,  
481 community correctional center or other detention facility where  
482 arrested persons are confined, or in or on the property or grounds of  
483 any courthouse;

484 (4) Pay a fee or rebate or give or promise anything of value to a law  
485 enforcement officer, judicial marshal, employee of the Department of  
486 Correction or other person who has power to arrest or to hold a person  
487 in custody, or to any public official or public employee, to secure a  
488 compromise, remission or reduction of the amount of any bail bond or  
489 estreatment of bail;

490 (5) Pay a fee or rebate or give or promise anything of value to an  
491 attorney in a bail bond matter, except in defense of any action on a  
492 bond;

493 (6) Pay a fee or rebate or give or promise anything of value to the  
494 principal or to any person on the principal's behalf;

495 (7) Participate in the capacity of an attorney at a proceeding of a  
496 principal in violation of section 51-88 of the general statutes;

497 (8) Accept anything of value from a principal for providing a bail  
498 bond, other than the premium at the rate filed with and approved by  
499 the commissioner pursuant to chapter 701 of the general statutes and  
500 an expense fee, except that the surety bail bond agent may accept  
501 collateral security or other indemnity from a principal or other person  
502 in accordance with section 9 of this act. No fees, expenses or charges of  
503 any kind shall be deducted from the collateral security or other  
504 indemnity held or from any premium the surety bail bond agent is  
505 obligated to return to the principal, except as authorized by law. A  
506 surety bail bond agent may, upon written agreement with a third  
507 party, receive a fee or other compensation for returning to custody an  
508 individual who has fled the jurisdiction of the court or whose bond has  
509 been forfeited;

510 (9) Execute a bond in this state on such agent's or insurer's own  
511 behalf;

512 (10) Execute a bond in this state if a bond executed by the surety bail  
513 bond agent is forfeited and such forfeiture has remained unpaid for at

514 least sixty days after the date payment has become due, unless the full  
515 amount of the forfeited bond is paid to the Office of the Chief State's  
516 Attorney; or

517 (11) Execute a bond in this state for an arrested person if such  
518 arrested person or a person with actual or apparent authority to act on  
519 behalf of such arrested person has not authorized such agent, in  
520 writing, to execute a bond on such arrested person's behalf.

521 Sec. 12. (NEW) (*Effective October 1, 2010*) (a) Each insurer and each  
522 surety bail bond agent that executes bail bonds in this state shall  
523 maintain and transmit the following information, based on such  
524 insurer's or such agent's Connecticut bail bond business, to the  
525 Insurance Department upon request and shall report the information  
526 separately for each insurer represented, except that subdivisions (1),  
527 (12) and (13) of this subsection shall apply only to insurers:

528 (1) Commissions paid;

529 (2) The number of, and the total dollar amount of, bonds executed;

530 (3) The number of, and the total dollar amount of, bonds ordered  
531 forfeited;

532 (4) The number of, and the total dollar amount of, forfeitures  
533 discharged, remitted or otherwise recovered prior to payment for any  
534 reason;

535 (5) The number of, and the total dollar amount of, forfeitures  
536 discharged, remitted or otherwise recovered prior to payment due to  
537 the apprehension of the principal on the bond by the surety bail bond  
538 agent;

539 (6) The number of, and the total dollar amount of, forfeited bonds  
540 that have not been reinstated pursuant to section 54-65a of the general  
541 statutes;

542 (7) The number of, and the total dollar amount of, forfeitures paid  
543 and subsequently recovered by the Office of the Chief State's Attorney  
544 by discharge, remission or otherwise;

545 (8) A list of every outstanding or unpaid forfeiture, estreature and  
546 judgment, with the case number and the name of the court in which  
547 such forfeiture, estreature or judgment is recorded and the name of  
548 each agency or firm that employs the bail bond agent;

549 (9) The number of, and the total dollar amount of, bonds for which  
550 collateral security or other indemnity was received;

551 (10) The actual realized value of collateral security or other  
552 indemnity converted, excluding the cost of converting the collateral  
553 security or other indemnity;

554 (11) The cost of converting collateral security or other indemnity;

555 (12) The underwriting gain or loss;

556 (13) The net investment gain or loss allocated to the flow of funds  
557 associated with Connecticut business; and

558 (14) Such additional information as the Insurance Department may  
559 require to evaluate the: (A) Reasonableness of rates or ensure that such  
560 rates are not excessive, inadequate or unfairly discriminatory; (B)  
561 financial condition or trade practices of surety bail bond agents and  
562 insurers executing bail bonds; and (C) performance of the surety bail  
563 bond agents and insurers executing bail bonds in accordance with  
564 appropriate criminal justice system goals and standards.

565 (b) Each surety bail bond agent shall submit a copy of such  
566 information to each insurer such agent represents.

567 (c) The commissioner shall meet at least annually with a group of  
568 surety bail bond agents and insurers, and any other representatives the  
569 commissioner deems necessary, to discuss the reporting requirements

570 set forth in subsection (a) of this section.

571 Sec. 13. (NEW) (*Effective October 1, 2010*) (a) The commissioner may  
572 suspend or revoke the license of a surety bail bond agent, or may  
573 impose a fine in lieu of or in addition to such suspension or revocation  
574 in accordance with section 38a-774 of the general statutes for any  
575 violation of section 38a-660 of the general statutes, as amended by this  
576 act, and sections 3 to 12, inclusive, of this act.

577 (b) Upon the surrender, suspension or revocation of a surety bail  
578 bond agent's license, the appointing insurer or managing general agent  
579 shall immediately designate a licensed and appointed surety bail bond  
580 agent to administer all bail bonds previously executed by the licensee.

581 (c) Any individual aggrieved by the action of the commissioner  
582 under subsection (a) of this section may appeal therefrom, in  
583 accordance with section 38a-774 of the general statutes.

584 Sec. 14. (NEW) (*Effective October 1, 2010*) The commissioner may  
585 adopt regulations, in accordance with the provisions of chapter 54 of  
586 the general statutes, to implement the provisions of section 38a-660 of  
587 the general statutes, as amended by this act, and sections 3 to 12,  
588 inclusive, of this act.

589 Sec. 15. Section 29-152n of the general statutes is repealed and the  
590 following is substituted in lieu thereof (*Effective from passage*):

591 Any person who violates any provision of sections 29-152e to  
592 29-152m, inclusive, [and 38a-660a] shall be guilty of a class D felony.

593 Sec. 16. Subsection (a) of section 38a-11 of the 2010 supplement to  
594 the general statutes is repealed and the following is substituted in lieu  
595 thereof (*Effective October 1, 2010*):

596 (a) The commissioner shall demand and receive the following fees:  
597 (1) For the annual fee for each license issued to a domestic insurance  
598 company, two hundred dollars; (2) for receiving and filing annual

599 reports of domestic insurance companies, fifty dollars; (3) for filing all  
600 documents prerequisite to the issuance of a license to an insurance  
601 company, two hundred twenty dollars, except that the fee for such  
602 filings by any health care center, as defined in section 38a-175, shall be  
603 one thousand three hundred fifty dollars; (4) for filing any additional  
604 paper required by law, thirty dollars; (5) for each certificate of  
605 valuation, organization, reciprocity or compliance, forty dollars; (6) for  
606 each certified copy of a license to a company, forty dollars; (7) for each  
607 certified copy of a report or certificate of condition of a company to be  
608 filed in any other state, forty dollars; (8) for amending a certificate of  
609 authority, two hundred dollars; (9) for each license issued to a rating  
610 organization, two hundred dollars. In addition, insurance companies  
611 shall pay any fees imposed under section 12-211; (10) a filing fee of  
612 fifty dollars for each initial application for a license made pursuant to  
613 section 38a-769; (11) with respect to insurance agents' appointments:  
614 (A) A filing fee of fifty dollars for each request for any agent  
615 appointment, except that no filing fee shall be payable for a request for  
616 agent appointment by an insurance company domiciled in a state or  
617 foreign country which does not require any filing fee for a request for  
618 agent appointment for a Connecticut insurance company; (B) a fee of  
619 one hundred dollars for each appointment issued to an agent of a  
620 domestic insurance company or for each appointment continued; and  
621 (C) a fee of eighty dollars for each appointment issued to an agent of  
622 any other insurance company or for each appointment continued,  
623 except that (i) no fee shall be payable for an appointment issued to an  
624 agent of an insurance company domiciled in a state or foreign country  
625 which does not require any fee for an appointment issued to an agent  
626 of a Connecticut insurance company, and (ii) the fee shall be twenty  
627 dollars for each appointment issued or continued to an agent of an  
628 insurance company domiciled in a state or foreign country with a  
629 premium tax rate below Connecticut's premium tax rate; (12) with  
630 respect to insurance producers: (A) An examination fee of fifteen  
631 dollars for each examination taken, except when a testing service is  
632 used, the testing service shall pay a fee of fifteen dollars to the

633 commissioner for each examination taken by an applicant; (B) a fee of  
634 eighty dollars for each license issued; (C) a fee of eighty dollars per  
635 year, or any portion thereof, for each license renewed; and (D) a fee of  
636 eighty dollars for any license renewed under the transitional process  
637 established in section 38a-784; (13) with respect to public adjusters: (A)  
638 An examination fee of fifteen dollars for each examination taken,  
639 except when a testing service is used, the testing service shall pay a fee  
640 of fifteen dollars to the commissioner for each examination taken by an  
641 applicant; and (B) a fee of two hundred fifty dollars for each license  
642 issued or renewed; (14) with respect to casualty adjusters: (A) An  
643 examination fee of twenty dollars for each examination taken, except  
644 when a testing service is used, the testing service shall pay a fee of  
645 twenty dollars to the commissioner for each examination taken by an  
646 applicant; (B) a fee of eighty dollars for each license issued or renewed;  
647 and (C) the expense of any examination administered outside the state  
648 shall be the responsibility of the entity making the request and such  
649 entity shall pay to the commissioner two hundred dollars for such  
650 examination and the actual traveling expenses of the examination  
651 administrator to administer such examination; (15) with respect to  
652 motor vehicle physical damage appraisers: (A) An examination fee of  
653 eighty dollars for each examination taken, except when a testing  
654 service is used, the testing service shall pay a fee of eighty dollars to  
655 the commissioner for each examination taken by an applicant; (B) a fee  
656 of eighty dollars for each license issued or renewed; and (C) the  
657 expense of any examination administered outside the state shall be the  
658 responsibility of the entity making the request and such entity shall  
659 pay to the commissioner two hundred dollars for such examination  
660 and the actual traveling expenses of the examination administrator to  
661 administer such examination; (16) with respect to certified insurance  
662 consultants: (A) An examination fee of twenty-six dollars for each  
663 examination taken, except when a testing service is used, the testing  
664 service shall pay a fee of twenty-six dollars to the commissioner for  
665 each examination taken by an applicant; (B) a fee of two hundred fifty  
666 dollars for each license issued; and (C) a fee of two hundred fifty

667 dollars for each license renewed; (17) with respect to surplus lines  
668 brokers: (A) An examination fee of twenty dollars for each  
669 examination taken, except when a testing service is used, the testing  
670 service shall pay a fee of twenty dollars to the commissioner for each  
671 examination taken by an applicant; and (B) a fee of six hundred  
672 twenty-five dollars for each license issued or renewed; (18) with  
673 respect to fraternal agents, a fee of eighty dollars for each license  
674 issued or renewed; (19) a fee of twenty-six dollars for each license  
675 certificate requested, whether or not a license has been issued; (20)  
676 with respect to domestic and foreign benefit societies shall pay: (A) For  
677 service of process, fifty dollars for each person or insurer to be served;  
678 (B) for filing a certified copy of its charter or articles of association,  
679 fifteen dollars; (C) for filing the annual report, twenty dollars; and (D)  
680 for filing any additional paper required by law, fifteen dollars; (21)  
681 with respect to foreign benefit societies: (A) For each certificate of  
682 organization or compliance, fifteen dollars; (B) for each certified copy  
683 of permit, fifteen dollars; and (C) for each copy of a report or certificate  
684 of condition of a society to be filed in any other state, fifteen dollars;  
685 (22) with respect to reinsurance intermediaries [ : A] a fee of six  
686 hundred twenty-five dollars for each license issued or renewed; (23)  
687 with respect to life settlement providers: (A) A filing fee of twenty-six  
688 dollars for each initial application for a license made pursuant to  
689 section 38a-465a; and (B) a fee of forty dollars for each license issued or  
690 renewed; (24) with respect to life settlement brokers: (A) A filing fee of  
691 twenty-six dollars for each initial application for a license made  
692 pursuant to section 38a-465a; and (B) a fee of forty dollars for each  
693 license issued or renewed; (25) with respect to preferred provider  
694 networks, a fee of two thousand seven hundred fifty dollars for each  
695 license issued or renewed; (26) with respect to rental companies, as  
696 defined in section 38a-799, a fee of eighty dollars for each permit  
697 issued or renewed; (27) with respect to medical discount plan  
698 organizations licensed under section 38a-479rr, a fee of six hundred  
699 twenty-five dollars for each license issued or renewed; (28) with  
700 respect to pharmacy benefits managers, an application fee of one

701 hundred dollars for each registration issued or renewed; (29) with  
702 respect to captive insurance companies, as defined in section 38a-91aa,  
703 a fee of three hundred seventy-five dollars for each license issued or  
704 renewed; [and] (30) with respect to each duplicate license issued a fee  
705 of fifty dollars for each license issued; and (31) with respect to surety  
706 bail bond agents, as defined in section 38a-660, as amended by this act,  
707 (A) a filing fee of fifty dollars for each initial application for a license,  
708 and (B) a fee of eighty dollars for each license issued or renewed.

709 Sec. 17. Section 29-145 of the general statutes is repealed and the  
710 following is substituted in lieu thereof (*Effective October 1, 2010*):

711 Any person desiring to engage in the business of a professional  
712 bondsman shall apply to the Commissioner of Public Safety for a  
713 license. [therefor.] Such application shall set forth under oath the full  
714 name, age, residence, telephone number and occupation of the  
715 applicant, whether the applicant intends to engage in the business of a  
716 professional bondsman individually or in partnership or association  
717 with another or others, and, if so, the identity of each. It shall also set  
718 forth under oath a statement of the assets and liabilities of the  
719 applicant, and whether the applicant has been charged with or  
720 convicted of crime, and such other information, including fingerprints  
721 and photographs, as said commissioner from time to time may require.  
722 The commissioner shall require the applicant to submit to state and  
723 national criminal history records checks. The criminal history records  
724 checks required pursuant to this section shall be conducted in  
725 accordance with section 29-17a. No person who has been convicted of  
726 a felony shall be licensed to do business as a professional bondsman in  
727 this state. No person engaged in law enforcement or vested with police  
728 powers shall be licensed to do business as a professional bondsman.

729 Sec. 18. Section 29-148 of the general statutes is repealed and the  
730 following is substituted in lieu thereof (*Effective October 1, 2010*):

731 Each professional bondsman licensed under the provisions of this  
732 chapter shall: [forthwith inform] (1) Inform the Commissioner of

733 Public Safety in writing of (A) a change in such professional  
734 bondsman's name, residence address or telephone number, not later  
735 than thirty days after such change, and (B) any material change in [his]  
736 such professional bondsman's assets or liabilities affecting [his] such  
737 bondsman's responsibility as a bondsman; and [shall] (2) at any time,  
738 upon request of said commissioner, furnish [him] said commissioner  
739 with a statement under oath of [his] such professional bondsman's  
740 assets and liabilities, including all bonds on which such bondsman is  
741 obligated.

742 Sec. 19. Section 29-149 of the general statutes is repealed and the  
743 following is substituted in lieu thereof (*Effective October 1, 2010*):

744 The Commissioner of Public Safety shall furnish to all courts and to  
745 all town, city and borough departments in the state, having authority  
746 to accept bail, the names, residence address and telephone numbers of  
747 all professional bondsmen licensed under the provisions of this  
748 chapter and shall forthwith notify such courts and all such town, city  
749 and borough departments of any change in any such bondsman's  
750 name, residence address, telephone number or status or of the  
751 suspension or revocation of any bondsman's license to engage in such  
752 business.

753 Sec. 20. Section 29-152 of the general statutes is repealed and the  
754 following is substituted in lieu thereof (*Effective October 1, 2010*):

755 Any person who violates any provision of [this chapter] sections 29-  
756 145, as amended by this act, 29-148, as amended by this act, 29-150 and  
757 29-151 shall be fined not more than one thousand dollars or  
758 imprisoned not more than two years or both and [his] such person's  
759 right to engage in the business of a professional bondsman in this state  
760 shall thereupon be permanently forfeited.

761 Sec. 21. (NEW) (*Effective October 1, 2010*) To carry out the provisions  
762 of this chapter, the Commissioner of Public Safety may:

763 (1) As often as the commissioner deems necessary, inspect the books  
764 and records of any professional bondsman. Said commissioner may  
765 consult with the Insurance Commissioner to carry out such  
766 inspections. The Commissioner of Public Safety may adopt  
767 regulations, in accordance with chapter 54 of the general statutes, to  
768 (A) establish procedures for such inspections, (B) specify the content  
769 and form of books and records required to be kept by professional  
770 bondsmen, or (C) require a fee to be paid by professional bondsmen to  
771 cover the cost of inspections; and

772 (2) Adopt regulations, in accordance with chapter 54 of the general  
773 statutes, to carry out the provisions of this chapter.

774 Sec. 22. (NEW) (*Effective October 1, 2010*) No professional bondsman  
775 shall:

776 (1) In exchange for a fee or other consideration, suggest or advise  
777 the employment of or name for employment any particular attorney to  
778 represent the principal on a bond;

779 (2) Directly or indirectly solicit business in or on the property or  
780 grounds of a correctional institution, community correctional center or  
781 other detention facility where arrested persons are confined, or within  
782 any police station or courthouse. For purposes of this subdivision,  
783 "solicit" includes the distribution of business cards, print advertising or  
784 any other written information directed to arrested persons or potential  
785 indemnitors, unless a request is initiated by an arrested person or  
786 potential indemnitor. Permissible print advertising in or on the  
787 property or grounds of a correctional institution, community  
788 correctional center or other detention facility where arrested persons  
789 are confined, or in or on the property or grounds of any courthouse  
790 shall be limited to a listing in a telephone directory and the posting of  
791 the professional bondsman's name, address and telephone number in a  
792 prominent designated location in or on such property or grounds;

793 (3) Wear or otherwise display any identification, other than a license

794 or identification issued or approved by the Commissioner of Public  
795 Safety, in or on the property or grounds of a correctional institution,  
796 community correctional center or other detention facility where  
797 arrested persons are confined, or in or on the property or grounds of  
798 any courthouse;

799 (4) Pay a fee or rebate or give or promise anything of value to a law  
800 enforcement officer, judicial marshal, employee of the Department of  
801 Correction or other person who has power to arrest or to hold a person  
802 in custody, or to any public official or public employee to secure a  
803 compromise, remission or reduction of the amount of any bail bond or  
804 estreatment of bail;

805 (5) Pay a fee or rebate or give or promise anything of value to an  
806 attorney in a bail bond matter, except in defense of any action on a  
807 bond;

808 (6) Pay a fee or rebate or give or promise anything of value to the  
809 principal or to any person on the principal's behalf;

810 (7) Participate in the capacity of an attorney at a proceeding of a  
811 principal in violation of section 51-88 of the general statutes;

812 (8) Accept anything of value from a principal for providing a bail  
813 bond, other than the commission or fee authorized under section 29-  
814 151 of the general statutes, except that the professional bondsman may  
815 accept collateral security or other indemnity from a principal or other  
816 person in accordance with section 23 of this act. No fees, expenses or  
817 charges of any kind shall be deducted from the collateral security or  
818 other indemnity held, except as authorized by law. A professional  
819 bondsman may, upon written agreement with a third party, receive a  
820 fee or other compensation for returning to custody an individual who  
821 has fled the jurisdiction of the court or whose bond has been forfeited;

822 (9) Execute a bond in this state on such bondsman's own behalf;

823 (10) Execute a bond in this state if a bond executed by the

824 professional bondsman is forfeited and such forfeiture has remained  
825 unpaid for at least sixty days after the date payment has become due,  
826 unless the full amount of the forfeited bond is paid to the Office of the  
827 Chief State's Attorney; or

828 (11) Execute a bond in this state for an arrested person if such  
829 arrested person or a person with actual or apparent authority to act on  
830 behalf of such arrested person has not authorized such bondsman, in  
831 writing, to execute a bond on such arrested person's behalf.

832 Sec. 23. (NEW) (*Effective October 1, 2010*) (a) If collateral security or  
833 other indemnity was received by a professional bondsman on a bond,  
834 such bondsman shall return the collateral security or other indemnity,  
835 except a promissory note or an indemnity agreement, not later than  
836 twenty-one days after receipt of a written report from the court that a  
837 bond has been terminated. Such collateral security or other indemnity  
838 shall be returned to the person who gave the collateral security or  
839 other indemnity unless another disposition is provided for by legal  
840 assignment of the right to receive the collateral security or other  
841 indemnity to another person. If, despite diligent inquiry by the  
842 professional bondsman to determine whether the bond has been  
843 terminated, the court fails to provide any written report on  
844 termination, the collateral security or other indemnity, except a  
845 promissory note or an indemnity agreement, shall be returned to the  
846 person who gave the collateral security or other indemnity not later  
847 than twenty-one days after the professional bondsman has become  
848 aware that the bond has been terminated.

849 (b) No fee or other charge, other than that authorized by law, shall  
850 be deducted from the collateral security or other indemnity due.  
851 Allowable expenses incurred in the apprehension of a defendant  
852 because of a forfeiture of bond or judgment may be deducted if such  
853 expenses are accounted for.

854 (c) Any person who violates this section shall be subject to the  
855 penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of

856 the general statutes, depending on the amount involved.

857       Sec. 24. (NEW) (*Effective October 1, 2010*) Upon the request of a  
 858 person licensed as (1) a professional bondsman under chapter 533 of  
 859 the general statutes, (2) a surety bail bond agent under section 38a-660  
 860 of the general statutes, as amended by this act, or (3) a bail  
 861 enforcement agent under sections 29-152f to 29-152i, inclusive, of the  
 862 general statutes, the Judicial Branch shall verify whether a rearrest  
 863 warrant or capias issued pursuant to section 54-65a of the general  
 864 statutes is still outstanding.

865       Sec. 25. (NEW) (*Effective October 1, 2010*) A court shall vacate an  
 866 order forfeiting a bond and release the professional bondsman, as  
 867 defined in section 29-144 of the general statutes, the surety bail bond  
 868 agent and the insurer, as both terms are defined in section 38a-660 of  
 869 the general statutes, as amended by this act, if (1) the principal on the  
 870 bond is detained or incarcerated in another state, territory or country,  
 871 (2) the professional bondsman, the surety bail bond agent or the  
 872 insurer provides proof of such detention or incarceration to the court  
 873 and the state's attorney prosecuting the case, and (3) the state's  
 874 attorney prosecuting the case declines to seek extradition of the  
 875 principal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	38a-660
Sec. 2	<i>October 1, 2010</i>	38a-660a
Sec. 3	<i>October 1, 2010</i>	New section
Sec. 4	<i>October 1, 2010</i>	New section
Sec. 5	<i>October 1, 2010</i>	New section
Sec. 6	<i>October 1, 2010</i>	New section
Sec. 7	<i>October 1, 2010</i>	New section
Sec. 8	<i>October 1, 2010</i>	New section
Sec. 9	<i>October 1, 2010</i>	New section
Sec. 10	<i>October 1, 2010</i>	New section
Sec. 11	<i>October 1, 2010</i>	New section

Sec. 12	<i>October 1, 2010</i>	New section
Sec. 13	<i>October 1, 2010</i>	New section
Sec. 14	<i>October 1, 2010</i>	New section
Sec. 15	<i>from passage</i>	29-152n
Sec. 16	<i>October 1, 2010</i>	38a-11(a)
Sec. 17	<i>October 1, 2010</i>	29-145
Sec. 18	<i>October 1, 2010</i>	29-148
Sec. 19	<i>October 1, 2010</i>	29-149
Sec. 20	<i>October 1, 2010</i>	29-152
Sec. 21	<i>October 1, 2010</i>	New section
Sec. 22	<i>October 1, 2010</i>	New section
Sec. 23	<i>October 1, 2010</i>	New section
Sec. 24	<i>October 1, 2010</i>	New section
Sec. 25	<i>October 1, 2010</i>	New section

***Statement of Purpose:***

To improve the regulation of surety bail bond agents and professional bondsmen in this state.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*